

FILED
U.S. DISTRICT COURTIN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

DISTRICT OF UTAH

BY: _____
DEPUTY CLERK

JANET JAMISON,

Plaintiff,

vs.

WEST VALLEY CITY, et al.

Defendants.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:06 CV 1026 TC

This case was referred to United States Magistrate Judge Paul M. Warner on December 14, 2006, pursuant to the provisions of 28 U.S.C. § 636b(1)(B). On February 9, 2007, Judge Warner issued a Report and Recommendation in this case dealing with Plaintiff Janet Jamison's motion to appoint counsel and motion for service of process.¹ In his Report and Recommendation, Judge Warner wrote: "whenever the court authorizes a party to proceed without the prepayment of fees under the in forma pauperis statute, the court is required to 'dismiss the case at any time if the court determines that . . . the action or appeal . . . is frivolous or malicious.'" 28 U.S.C. § 1915(e)(2)(B)(I). Judge Warner determined that Plaintiff's complaint was frivolous, baseless and without merit and recommended that the complaint be dismissed.

¹Plaintiff was granted leave to proceed *in forma pauperis* on December 13, 2006.

The parties were given ten days to file any objections to the Report and Recommendation. No objections have been filed. The court has considered Judge Warner's recommendation and finds that his conclusions are correct in all respects, and hereby adopts the Report and Recommendation as the order of the court. Accordingly, Plaintiff's complaint is DISMISSED with prejudice.

DATED this 5th day of March, 2007.

BY THE COURT:
Tena Campbell

TENA CAMPBELL
Chief Judge